

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

LEWIS J. FOGLE,)	
)	
Plaintiff,)	
)	
)	C.A. No. 1:14-cv-131
v.)	
)	
CHRISTINE ZIRKLE, CHCA, et al,)	
Defendants.)	


MEMORANDUM ORDER

This prisoner civil rights action was received by the Clerk of Court on April 29, 2014, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. The magistrate judge's report and recommendation, issued on December 22, 2015, recommended that [42] Defendants' Motion for Summary Judgment should be granted, or alternatively, the case should be dismissed due to Plaintiff's failure to prosecute. Service was made on Plaintiff by mail at 850 Pine Street, Trl No. 8, Indiana, PA, the last address of record, and on Defendants. No objections were filed. After de novo review of the complaint and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 12th Day of January, 2016;

IT IS HEREBY ORDERED that the Defendants' Motion for Summary Judgment [42] is GRANTED. The Clerk is directed to close the case.

The report and recommendation of Magistrate Judge Baxter, issued December 22, 2015, is adopted as the opinion of the court.



ARTHUR J. SCHWAB
United States District Judge

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cc: Susan Paradise Baxter
U.S. Magistrate Judge

all parties of record _____